



The Municipal Corporation of the Town of Fort Erie

By-law No. 140-2021

**Being a By-law to Accept and Declare a
Daylighting Triangle as Public Highway at the
Southwest Intersection of Cook Avenue and Poplar Avenue
(129 Cook Avenue)
1314420 Ontario Ltd. (B. Cosby)**

Whereas pursuant to the Decision of the Town of Fort Erie Committee of Adjustment, File No. B30/21 F.E., the owner, 1314420 Ontario Ltd., is required to convey lands to The Corporation of the Town of Fort Erie for the purpose of a daylighting triangle at the southwest intersection of Cook Avenue and Poplar Avenue, gratuitously, free and clear of all encumbrances; and

Whereas the *Municipal Act, 2001*, as amended, provides that if a municipality acquires land for the purpose of widening a highway, the land acquired forms part of the highway to the extent of the designated widening; and

Whereas it is deemed desirable to authorize the acceptance of lands for road widening purposes, and declare and assume same as public highway forming part of Cook Avenue;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the acceptance of land from 1314420 Ontario Ltd., legally described as Part of Lot 347, Plan 433, Bertie, designated as Part 3 on Reference Plan 59R-17090; Fort Erie, being part of PIN 64199-0025 (LT) (the "Lands") for road widening purposes, free and clear of all encumbrances, is authorized and approved.
2. **That** the Lands are established, laid out, declared and assumed as public highway forming part of Cook Avenue, for public use.
3. **That** upon final passage of this by-law, the Town Law Clerk shall cause same to be registered in the Land Registry Office.
4. **That** the Mayor and Clerk are authorized and directed to execute all documentation necessary to complete this transaction.
5. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 22nd day of November, 2021.

Mayor

Clerk